



## Filing Receipt

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PROJECT NO. 51840

RULEMAKING ESTABLISHING	§	BEFORE THE
ELECTRIC WEATHERIZATION	§	PUBLIC COMMISSION OF TEXAS
STANDARDS	§	OF TEXAS
	§	

**AARP COMMENTS ON PROPOSAL FOR PUBLICATION FOR NEW 16 TAC § 25.55 AS  
APPROVED AT THE AUGUST 26, 2021 WORK SESSION**

AARP<sup>1</sup> appreciates the opportunity to provide comments on this proposal to develop weatherization rules to implement Senate Bill (SB) 3 of the 87<sup>th</sup> Legislation, Regular Session. The health, safety and economic welfare of Texans depends on affordable electricity rates and reliable service. Our electric system during Winter Storm Uri failed to deliver on both fronts. Getting this rulemaking right will establish a foundational pillar to improve our system for decades to come.

The stated goal of the initial phase of this rulemaking reflected in this proposal is to ensure that the electric industry is prepared to provide continuous reliable electric service throughout this upcoming winter season, in compliance with the statutory deadline contemplated in SB 3. While AARP agrees with the general approach taken in this proposal, we are concerned that the good cause exception provisions contained within it are too broad and jeopardize the Commission's goal of preparing Texas for the upcoming winter.

Our main concern is that if weatherization work is delayed after December 1, we face the possibility of another winter storm event without fixing the problems that caused the February 2021 disaster. Winter storms in mid- to late December have caused major electricity outages in the past 30 years.

AARP urges the Commission consider incorporating the following proposals into the final rule:

- (1) **Establish a deadline for filing the good cause request.** As it stands, a generator could miss the weatherization deadline and then file a good cause exception request. At a minimum, it should be filed before the December 1 deadline for meeting the

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<sup>1</sup> AARP is a nonpartisan, nonprofit social welfare organization with a membership that helps people 50+ have independence, choice and control in ways that are beneficial and affordable to them and society as a whole. AARP is an advocate nationwide for the rights of people aged 50 and older. A substantial percentage of AARP's members live on fixed or limited incomes. A major priority for AARP is to protect consumers from unreliable power and utility expenses that may endanger their health and financial security. We have 38 million members nationally and nearly 2.3 million in Texas.

requirements. The same deadline for filing the request should apply to giving ERCOT notice of the request.

(2) **Place a limit on the maximum delay in meeting the weatherization deadline.**

We suggest a 30-day maximum exception. The Commission's expectation should be delays are short-lived and anything beyond a reasonable short period (e.g. 30 days) should be re-justified, if allowed at all.

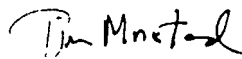
(3) **Include a specific standard which must be shown before the request is granted.**

We suggest the applicant must demonstrate that the inability to meet the deadline is beyond the applicant's control. The applicant should demonstrate that it made every effort to meet the deadline. Financial or cost considerations should not be sufficient to justify a good cause exception.

AARP shares the Commission and the Texas Legislature's expressed intent and desire to ensure that our electric system is prepared to provide continuous reliable electric service throughout this upcoming winter season. The health and well-being of millions of Texans deserve it and are counting on it. AARP asks for your favorable consideration of the suggestions above to strengthen the good cause exception in this proposal for publication.

Respectfully submitted,

AARP



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